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**DU Québec**

**Part**

**2**

**No. 34**

24 August 2016

**Laws and Regulations**

Volume 148

**Summary**

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### Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (chapter C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
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- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
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**PROVINCE OF QUÉBEC**

1ST SESSION

41ST LEGISLATURE

QUÉBEC, 31 MAY 2016

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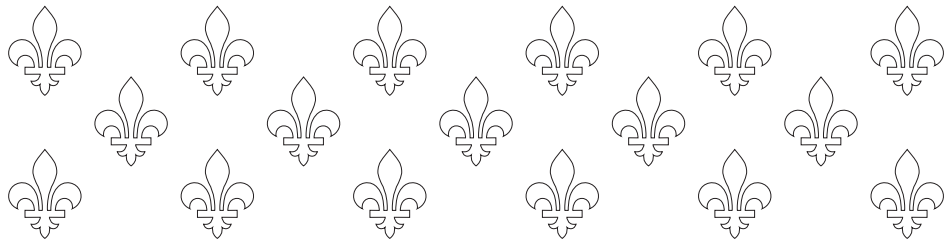
**OFFICE OF THE LIEUTENANT-GOVERNOR***Québec, 31 May 2016*

This day, at fifteen minutes past six o'clock in the evening, His Excellency the Lieutenant-Governor was pleased to assent to the following bill:

- 94 An Act to authorize the making of collective agreements with a term of more than three years in the public and parapublic sectors

To this bill the Royal assent was affixed by His Excellency the Lieutenant-Governor.





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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 94  
(2016, chapter 10)

**An Act to authorize the making of  
collective agreements with a term of  
more than three years in the public and  
parapublic sectors**

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**Introduced 19 April 2016  
Passed in principle 27 April 2016  
Passed 31 May 2016  
Assented to 31 May 2016**

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**Québec Official Publisher  
2016**

**EXPLANATORY NOTES**

*This Act allows collective agreements with a term of more than three years to be made in the public and parapublic sectors, provided they expire no later than 31 March 2020. It also specifies the period during which certification may be applied for regarding a group of employees in those sectors.*



## **Bill 94**

### **AN ACT TO AUTHORIZE THE MAKING OF COLLECTIVE AGREEMENTS WITH A TERM OF MORE THAN THREE YEARS IN THE PUBLIC AND PARAPUBLIC SECTORS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

**1.** Despite section 111.1 of the Labour Code (chapter C-27), a collective agreement with a term of more than three years may be made in the public and parapublic sectors, provided it expires no later than 31 March 2020.

In such a case, the reference in section 111.3 of the Labour Code to paragraph *d* of section 22 of that Code must be read as a reference to paragraph *e* of that section 22.

**2.** This Act comes into force on 31 May 2016.



## Regulations and other Acts

Gouvernement du Québec

### O.C. 712-2016, 9 August 2016

An Act respecting the Pension Plan  
of Management Personnel  
(chapter R-12.1)

#### Special provisions in respect of classes of employees designated under section 23 of the Act — Amendment

Amendment to the Special provisions in respect of  
classes of employees designated under section 23 of  
the Act respecting the Pension Plan of Management  
Personnel

WHEREAS, under the first paragraph of section 23 of the  
Act respecting the Pension Plan of Management Personnel  
(chapter R-12.1), the Government may, notwithstanding  
any inconsistent provision of the Act, except the provi-  
sions of Chapter VIII, establish special provisions with  
respect to classes of employees it designates;

WHEREAS the Government made the Special provi-  
sions in respect of classes of employees designated under  
section 23 of the Act respecting the Pension Plan of  
Management Personnel (chapter R-12.1, r. 2);

WHEREAS it is expedient to amend the Special  
provisions;

IT IS ORDERED, therefore, on the recommendation of  
the Minister responsible for Government Administration  
and Ongoing Program Review and Chair of the Conseil  
du trésor:

THAT the amendment to the Special provisions in  
respect of classes of employees designated under sec-  
tion 23 of the Act respecting the Pension Plan of  
Management Personnel, attached hereto, be made;

THAT the amendment come into force on the date on  
which the Order in Council is made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

### Amendment to the Special provisions in respect of classes of employees designated under section 23 of the Act respecting the Pension Plan of Management Personnel

An Act respecting the Pension Plan  
of Management Personnel  
(chapter R-12.1, s. 23, 1st par.)

**1.** The Special provisions in respect of classes of  
employees designated under section 23 of the Act respect-  
ing the Pension Plan of Management Personnel (chap-  
ter R-12.1, r. 2) are amended by adding the following  
section at the end of Chapter V:

“**40.** Despite the definition of “former pension plan” in  
section 1, for the purposes of sections 13, 16, 17, 19, 26,  
27 and 28, the amount of the benefit payable to a person  
who has never belonged to a class of employees referred  
to in paragraphs 1 to 11 of Schedule II and for whom the  
Government and Public Employees Retirement Plan is  
the last plan of which the person was a member before  
this Order in Council became applicable to the person  
is computed by considering the Government and Public  
Employees Retirement Plan as the former pension plan.”

102724

Gouvernement du Québec

### O.C. 724-2016, 9 August 2016

An Act respecting insurance  
(chapter A-32)

#### Regulation — Amendment

Regulation to amend the Regulation under the Act  
respecting insurance

WHEREAS, under paragraph *s* of section 420 of the  
Act respecting insurance (chapter A-32), the Government  
may make regulations consistent with the Act to establish  
the conditions applicable to group insurance contracts  
and their marketing, and to admission to a group of  
participants;

WHEREAS the Government made the Regulation under  
the Act respecting insurance (chapter A-32, r. 1);

WHEREAS it is expedient to amend the Regulation;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation under the Act respecting insurance was published in Part 2 of the *Gazette officielle du Québec* of 20 April 2016 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS it is expedient to make the Regulation without amendment;

IT IS ORDERED, therefore, on the recommendation of the Minister of Finance:

THAT the Regulation to amend the Regulation under the Act respecting insurance, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,  
*Clerk of the Conseil exécutif*

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### **Regulation to amend the Regulation under the Act respecting insurance**

An Act respecting insurance  
(chapter A-32, s. 420, par. s)

**1.** The Regulation under the Act respecting insurance (chapter A-32, r. 1) is amended in section 60 by striking out the third paragraph.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102718

## Draft Regulations

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### Draft Regulation

Automobile Insurance Act  
(chapter A-25)

#### Reimbursement of certain expenses — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the reimbursement of certain expenses, made by the Société de l'assurance automobile du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft Regulation increases the maximum amount of a number of expenses qualifying for reimbursement by the Société to road accident victims. The expenses concerned by the increases are

— expenses incurred for purposes of receiving dental care;

— expenses incurred for dentures, ocular prostheses, eyeglass frames and hairpieces;

— expenses incurred for meals and for accommodation away from the victim's residence for purposes of receiving care;

— expenses incurred for obtaining reports prepared by a health care professional;

— expenses incurred for the protective supervision of a mentally incompetent victim;

— expenses incurred for the evaluation by an occupational therapist of the victim's needs for a wheelchair;

— expenses incurred for obtaining medical assessments.

The draft Regulation also increases the daily compensation for loss of wages incurred by a victim who is fit to work for purposes of receiving care or undergoing a medical examination.

Regarding expenses incurred for purposes of receiving psychological care or physiotherapy treatment, the draft Regulation ends the requirement to obtain a medical prescription every 15 treatment sessions given the new ways of proceeding implemented by the Société for those types of treatment.

Lastly, the draft Regulation introduces a provision to provide that the amount representing any applicable consumer taxes with respect to goods and services for which the Société reimburses the cost is included in the maximum amounts that qualify for reimbursement provided for in the Regulation for those goods and services.

The Société does not foresee any impact on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Kora Guimond, Société de l'assurance automobile du Québec, 333, boulevard Jean-Lesage, S -4 -11, case postale 19600, Québec (Québec) G1K 8J6; telephone: 418 5283333, extension 85773; fax: 418 528-1223; email: kora.guimond@saaq.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Transport, Sustainable Mobility and Transport Electrification, 700, boulevard René-Lévesque Est, 29<sup>e</sup> étage, Québec (Québec) G1R 5H1.

JACQUES DAOUST,  
*Minister of Transport, Sustainable Mobility  
and Transport Electrification*

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### Regulation to amend the Regulation respecting the reimbursement of certain expenses

Automobile Insurance Act  
(chapter A-25, s. 195, pars. 15, 16 and 17)

**1.** The Regulation respecting the reimbursement of certain expenses (chapter A-25, r. 14) is amended by replacing section 8 by the following:

**“8.** Expenses incurred for purposes of receiving psychological care qualify for reimbursement up to a maximum amount of \$86.60 per hour of treatment.”

**2.** Section 10.1 is replaced by the following:

“**10.1.** Expenses incurred for purposes of receiving physiotherapy treatment qualify for reimbursement up to a maximum amount of \$55 per treatment session.

Expenses incurred for purposes of receiving at home a treatment covered by this section qualify for reimbursement when the victim is in a physical state such that the victim is incapable of travel. Those expenses qualify for reimbursement up to a maximum amount of \$65 per treatment session.”

**3.** The following is inserted after section 10.1:

“**10.2.** Expenses incurred for purposes of receiving occupational therapy treatment qualify for reimbursement up to a maximum of 15 prescribed treatment sessions and a maximum amount of \$36 per treatment session.

Expenses incurred for purposes of receiving at home a treatment covered by this section qualify for reimbursement when the victim is in a physical state such that the victim is incapable of travel. Those expenses qualify for reimbursement up to a maximum amount of \$54 per treatment session.”

**4.** Section 14 is amended by replacing “in Schedule II” by “in the following documents:

(1) *Honoraires versés aux chirurgiens dentistes aux fins d’indemnisation par la SAAQ* of the Association des chirurgiens dentistes du Québec;

(2) *Honoraires versés aux dentistes spécialistes aux fins d’indemnisation par la SAAQ* of the Fédération des dentistes spécialistes du Québec;

(3) *Honoraires versés aux denturologistes aux fins d’indemnisation par la SAAQ* of the Association des denturologistes du Québec (A.D.Q.).

The documents are available on the Société’s website.»

**5.** Section 16 is amended by replacing “\$600” and “\$100” by “\$2,000” and “\$200”, respectively.

**6.** Section 18 is amended by replacing “\$700” by “\$2,000”.

**7.** Section 19 is amended by replacing “in Schedule II” in the first paragraph by “in the documents listed in section 14”.

**8.** Section 20 is amended by replacing “in Schedule II” in the second paragraph by “in the documents listed in section 14”.

**9.** Section 21 is amended by replacing “in Schedule II” in the second paragraph by “in the documents listed in section 14”.

**10.** The following is inserted after section 33:

“**33.1.** For the purposes of sections 32 and 33, the maximum amounts provided for in Schedule III are revalorized following the modifications that the Conseil du trésor may make to its *Directive sur les frais remboursables lors d’un déplacement et autres frais inhérents* (C.T. 194603, 2000-03-30).

Despite the foregoing, the revalorization has effect as of 1 January following the making by the Conseil du trésor of the modifications made to its directive.”

**11.** Section 50 is amended

(1) by striking out the word “Medical” everywhere it appears in the first paragraph;

(2) by replacing the amounts “\$25”, “\$70” and “\$65” by “\$30”, “\$80” and “\$75”, respectively, everywhere they appear.

**12.** Section 51 is amended by replacing “\$350” by “\$2,500”.

**13.** Section 52 is amended by replacing “\$100” by “\$160”.

**14.** Section 54.13 is amended by replacing “\$150” and “\$195” by “\$400” and “\$550”, respectively.

**15.** Section 57 is amended by replacing “\$600” and “\$1,800” wherever they appear by “\$690” and “\$2,070”, respectively.

**16.** The following is inserted after section 58:

**“CHAPTER IV  
CONSUMER TAXES**

**59.** For the purposes of this Regulation, the amount representing any applicable consumer taxes with respect to goods and services for which the Société reimburses the cost is included in the maximum amounts that qualify for reimbursement provided for in this Regulation for those goods and services.”.

**17.** Schedule II is revoked.

**18.** Schedule III is amended

(1) by replacing “\$38.80”, “\$8.75”, “\$12.00” and “\$18.05” in the maximum amounts reimbursed corresponding to section 32 by “\$46.25”, “\$10.40”, “\$14.30 and “\$21.55”, respectively;

(2) by replacing the table corresponding to section 33 “Lodging in a hotel or motel or lodging other than in a hotel or motel” by the following:

“

33	Lodging in a hotel or motel	Low season (01-11 to 31-05)	High season (01-06 to 31-10)
	– situated in the territory of Ville de Montréal or outside Québec	\$126.00	\$138.00
	– situated in the territory of Ville de Québec		\$106.00
	– situated in the territory of Ville de Laval, Ville de Gatineau, Ville de Longueuil, Ville de Lac-Delage and Municipalité de Lac-Beauport	\$102.00	\$110.00
	– situated elsewhere in Québec	\$83.00	\$87.00
33	Lodging other than in a hotel or motel		\$22.25

”.

**19.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## Draft Regulation

Fire Safety Act  
(chapter S-3.4)

### Decorations and citations awarded in the field of fire safety and for rescue activities

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the decorations and citations that may be awarded in the field of fire safety and for rescue activities. It also determines the classes of persons or bodies to which they may be awarded and the cases in which they may be awarded. In addition, it determines the procedure for awarding those decorations and citations and establishes, for that purpose, the Comité sur les décorations et les citations décernées en matière de sécurité incendie et pour des activités de secours.

The measures proposed by the draft Regulation have no impact on enterprises, including small and medium-sized businesses.

Further information on the draft Regulation may be obtained by contacting Sylvie Mathurin, director of fire safety, Ministère de la Sécurité publique, 418 646-6777, extension 40013.

Any person wishing to comment on the matter is requested to submit written comments within the 45-day period to Katia Petit, Secretary General, Ministère de la Sécurité publique, tour des Laurentides, 5<sup>e</sup> étage, 2525, boulevard Laurier, Québec (Québec) G1V 2L2.

MARTIN COITEUX,  
*Minister of Public Security*

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## Regulation respecting decorations and citations awarded in the field of fire safety and for rescue activities

Fire Safety Act  
(chapter S-3.4, s. 151, par. 3)

### CHAPTER I DECORATIONS AND CITATIONS

#### DIVISION I DECORATIONS

**1.** The Minister of Public Security may award to a member of a fire safety service the following decorations:

- (1) the *croix du courage*;
- (2) the *médaille pour acte méritoire*;
- (3) the *médaille du sacrifice*.

For the purposes of this Regulation, a “member of a fire safety service” is a person in charge of fighting fires and a first responder within the meaning of the Act respecting pre-hospital emergency services (chapter S-6.2) working within a fire safety service established by a local or regional authority or by an intermunicipal board.

**2.** The *croix du courage* may be awarded to a member of a fire safety service who has accomplished a heroic act at the peril of his or her life during an intervention.

**3.** The *médaille pour acte méritoire* may be awarded to a member of a fire safety service who has demonstrated outstanding leadership or self-surpassing during an exceptional intervention.

**4.** The *médaille du sacrifice* may be awarded to a member of a fire safety service who has died during an exceptional intervention.

#### DIVISION II CITATIONS

**5.** The Minister may award to any person or body the following citations:

- (1) the *citation d’honneur*;
- (2) the *citation de reconnaissance*.



**6.** The *citation d'honneur* may be awarded to a person or body who has contributed outstandingly to the development and promotion of fire safety.

**7.** The *citation de reconnaissance* may be awarded to a person or body who has facilitated the work of the members of a fire safety service during an event requiring their intervention.

## CHAPTER II PROCEDURE FOR AWARDING A DECORATION OR CITATION

**8.** The candidacy of a member of a fire safety service for a decoration is submitted by a local or regional authority, an intermunicipal board or any person having authority over a member of a fire safety service.

The candidacy of a person or body for a citation may be submitted by any person or body.

**9.** A candidacy is to contain

(1) the name, contact information and, if applicable, title of the candidate;

(2) the reasons for which the decoration or citation should be awarded;

(3) the date, time and place and a description of the act accomplished and, if applicable, the names of the persons involved or, in the case of the *citation d'honneur*, a description of the contribution made in the field of fire safety;

(4) the names and contact information of the witnesses to the act accomplished, if any;

(5) where the candidate is deceased, the name and contact information of his or her spouse or, in the absence of a spouse, of the closest relative or, if none, of the closest friend so that the decoration or citation may be given to that person;

(6) the name and contact information of the fire safety service involved, if any; and

(7) the name and contact information of the person or body who is submitting the candidacy and, if applicable, the title of the person who is submitting the candidacy.

A candidacy may also be accompanied by any document supporting it.

**10.** A Comité sur les décorations et les citations décernées en matière de sécurité incendie et pour des activités de secours is hereby established for the purposes of examining candidacies and making recommendations to the Minister.

Every candidacy is addressed to the secretary of the committee who is designated from among the staff of the Ministère de la Sécurité publique.

**11.** The committee is composed of

(1) 1 representative from the Ministère de la Sécurité publique;

(2) 1 person from the associations representing the directors of fire safety services established by a local or regional authority or by an intermunicipal board;

(3) 2 persons from the associations representing the members of fire safety services established by a local or regional authority or by an intermunicipal board;

(4) 1 person from the Fédération québécoise des municipalités;

(5) 1 person from the Union des municipalités du Québec; and

(6) 1 person representing the members of the fire safety services that are not established by a local or regional authority or by an intermunicipal board.

The committee members are appointed by the Minister, after consultations conducted with the organizations concerned, if any, for a term of not more than 3 years. At the expiry of their term, the committee members remain in office until they are replaced or re-appointed.

**12.** Any vacancy occurring during the term of a member is filled for the remaining portion of the term by following the rules prescribed for the designation of the member to be replaced.

In particular, if a member misses 3 consecutive sittings of the committee, his or her position on the committee is considered vacant.

**13.** A member who is in a conflict of interest must declare his or her interest and withdraw provisionally from the committee.

**14.** The decisions of the committee are taken by a majority of the members present at a sitting.

**15.** The committee members are not remunerated. Each of the organizations represented on the committee defrays the costs related to the participation of its representative to the sittings of the committee.

### CHAPTER III FINAL

**16.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102722

## Draft Regulation

Professional Code  
(chapter C-26)

### Geologists — Compensation fund — Revoking

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec, made by the board of directors of the Ordre des géologues du Québec, may be submitted to the Government for approval, with or without amendment, on the expiry of 45 days following this publication.

The draft Regulation revokes the Regulation respecting the compensation fund of the Ordre des géologues du Québec (chapter G-1.01, r. 3.002), which sets up a compensation procedure to compensate a claimant if a geologist uses funds or property for purposes other than those for which they were entrusted by the claimant to the geologist in the practice of the profession. The draft Regulation is consequential to the revoking of the Règlement sur la comptabilité en fidéicommiss des géologues (chapitre G-1.01, r. 3.001), that authorized geologists to hold funds or property for a third person in the practice of the profession.

The draft Regulation has no impact on the public and on enterprises, including small and medium-sized businesses.

Further information may be obtained by contacting Alain Liard, Chief Executive Director and Secretary of the Ordre des géologues du Québec, 500, rue Sherbrooke Ouest, bureau 900, Montréal (Québec) H3A 3C6; telephone: 514 278-6220 or 1 888 377-7708; fax: 514 844-7556.

Any person wishing to comment is requested to submit written comments within the 45-day period to the Chair of the Office des professions du Québec, 800, place D'Youville, 10<sup>e</sup> étage, Québec (Québec) G1R 5Z3. The comments will be forwarded by the Office to the Minister of Justice and may also be sent to the professional order that made the Regulation, and to interested persons, departments and bodies.

JEAN PAUL DUTRISAC,  
*Chair of the Office des professions du Québec*

## Regulation to revoke the Regulation respecting the compensation fund of the Ordre des géologues du Québec

Geologists Act  
(chapter G-1.01, s. 2)

Professional Code  
(chapter C-26, s. 89.1)

**1.** The Regulation respecting the compensation fund of the Ordre des géologues du Québec (chapter G-1.01, r. 3.002) is revoked.

**2.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102721

## Draft Regulation

An Act respecting prescription drug insurance  
(chapter A-29.01)

### Regulation

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan, appearing below, may be made by the Minister of Health and Social Services on the expiry of 45 days following this publication.

The draft Regulation determines the rules applicable to calls for tenders concerning manufacturers or wholesalers of medications accredited by the Minister of Health and Social Services. It also determines certain conditions of supply contracts entered into with manufacturers or wholesalers of medications accredited by the Minister of Health and Social Services following a call for tenders.

The draft Regulation has no impact on the public. In addition, it should not have a negative impact on enterprises, in particular small and medium-sized businesses.

Further information may be obtained by contacting Dominic Bélanger, Direction des affaires pharmaceutiques et du médicament, Ministère de la Santé et des Services sociaux, 1005, chemin Sainte-Foy, 1<sup>er</sup> étage, Québec (Québec) G1S 4N4; telephone: 418 266-8810; fax: 418 266-5957; email: dominic.belanger@msss.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to the Minister of Health and Social Services, 1075, chemin Sainte-Foy, 15<sup>e</sup> étage, Québec (Québec) G1S 2M1.

GAÉTAN BARRETTE,  
*Minister of Health and Social Services*

## Regulation respecting calls for tenders for certain medications covered by the basic prescription drug insurance plan

An Act respecting prescription drug insurance (chapter A-29.01, s. 60.0.0.3; 2016, c. 16, s. 1)

### DIVISION I SCOPE

**1.** This Regulation applies to

(1) contracts entered into with a manufacturer of medications accredited by the Minister of Health and Social Services to establish the price of a medication or supply and the conditions for its entry on the List of medications drawn up by the Minister under section 60 of the Act respecting prescription drug insurance (chapter A-29.01);

(2) contracts entered into with a wholesaler of medications accredited by the Minister to establish the supply conditions of owner pharmacists and the profit margin.

### DIVISION II CONDITIONS AND MECHANICS APPLICABLE TO CONTRACTS ENTERED INTO WITH A MANUFACTURER

**2.** With respect to contracts entered into with a manufacturer, the call for tenders is carried out in accordance with this Division.

### §1. General call for tenders

**3.** A general call for tenders is made, with the necessary modifications, in accordance with Divisions I to IV.1 of Chapter II of the Regulation respecting certain supply contracts of public bodies (chapter C-65.1, r. 2; D. 292-2016, s. 1).

“General call for tenders” means the awarding process through which the Minister invites all accredited manufacturers of medications to submit a price for the purchase of a medication or supply for the purpose of concluding a contract.

**4.** The Minister may enter into a contract with a maximum of 3 manufacturers per medication of the same form and strength or per supply.

The Minister indicates in the tender documents, for each medication of the same form and strength or each supply,

(1) the number of manufacturers likely to be selected; and

(2) the shares of the market allocated to the manufacturers likely to be selected.

### §2. Fixed-price call for tenders

**5.** The Minister may also make a fixed-price call for tenders to award a contract to one or more manufacturers. In that case, the Minister fixes the price for each medication of the same form and strength or for each supply. The price is indicated in the tender documents.

**6.** A fixed-price call for tenders is made by publishing a notice on the electronic tendering system approved by the Government.

**7.** In a fixed-price call for tenders, the instructions to the manufacturers include, in particular,

(1) the eligibility requirements required of manufacturers and the compliance requirements for tenders;

(2) a list of the documents or other items required from manufacturers;

(3) the period of validity of tenders;

(4) the tender opening procedure; and

(5) an indication that the Minister does not undertake to accept any of the tenders received.

**8.** In order to submit a tender, a manufacturer must meet the following eligibility requirements:

(1) have all the necessary qualifications, authorizations, permits, licences, registrations, certificates, accreditations and attestations;

(2) have in Québec or in a territory covered by an applicable intergovernmental agreement an establishment where activities are carried on on a permanent basis, clearly identified under the manufacturer's name and accessible during regular business hours;

(3) meet any other eligibility requirement specified in the tender documents.

Despite subparagraph 2 of the first paragraph, if competition is insufficient, the Minister may make eligible any manufacturer that has an establishment in a territory not covered by an applicable intergovernmental agreement, provided that the Minister so specifies in the tender documents.

A manufacturer that fails to comply with any of those requirements is ineligible.

**9.** Compliance requirements must specify the cases that will entail automatic rejection of a tender, namely,

(1) the place or the closing date or time has not been complied with;

(2) a required document is missing;

(3) the required signature of an authorized person is missing;

(4) the tender is conditional or restrictive; or

(5) any other compliance requirement stated in the tender documents as entailing automatic rejection of a tender has not been complied with.

**10.** The Minister may refuse to consider any manufacturer that, in the 2 years preceding the tender opening date, failed to follow up on a tender or contract or had a contract cancelled because of failure to comply with the contract conditions.

**11.** The Minister may amend the tender documents by means of an addendum sent to the manufacturers concerned.

**12.** Tenders are opened by the Minister at a public opening in the presence of a witness at the designated place and on the date and time fixed in the tender documents.

**13.** The Minister evaluates the tenders received, ensuring that the manufacturers are eligible and the tenders are compliant.

If the Minister rejects a tender because the manufacturer is ineligible or the tender is non-compliant, the Minister so informs the manufacturer and gives the reason for the rejection not later than 15 days after awarding the contract.

**14.** The award is made to all eligible manufacturers whose tender is compliant.

### DIVISION III CONDITIONS AND MECHANICS APPLICABLE TO CONTRACTS ENTERED INTO WITH A WHOLESALER

**15.** With respect to contracts entered into with an accredited wholesaler, the call for tenders is carried out, with the necessary modifications, in accordance with Divisions I to III and IV.1 of Chapter II of the Regulation respecting certain service contracts of public bodies (chapter C-65.1, r. 4).

**16.** A wholesaler may not be eligible to submit a tender as part of the call for tenders where

(1) the enterprise has, in the preceding 5 years, been found guilty of an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C-65.1);

(2) any of the wholesaler's shareholders is a natural person who holds 50% or more of the voting rights attached to the shares that may be exercised under any circumstances and who has, in the preceding 5 years, been found guilty of an offence listed in Schedule I to the Act respecting contracting by public bodies (chapter C 65.1);

(3) any of the wholesaler's directors or officers has, in the preceding 5 years, been found guilty of an offence listed in Schedule I of the Act respecting contracting by public bodies (chapter C-65.1).

A finding of guilty must be disregarded if a pardon has been obtained.

For the purpose of this division, the term "enterprise" designates a private corporation, a general partnership, a limited partnership, a joint venture (undeclared partnership) or a natural person who operates a sole proprietorship.

## DIVISION IV MISCELLANEOUS

**17.** The maximum term of a contract entered into with a manufacturer or a wholesaler following a call for tenders is 3 years, including any renewal.

**18.** Every manufacturer selected following a call for tenders must with due diligence inform the Minister where the manufacturer anticipates the possibility of a disruption in the supply of a medication that is the subject of the contract resulting from the call for tenders.

## DIVISION V FINAL

**19.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

102720

## Draft By-law

An Act respecting the Société d'habitation du Québec (chapter S-8)

### Conditions for the leasing of dwellings in low-rental housing in Nunavik — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik, made by the Société d'habitation du Québec and appearing below, may be submitted to the Government for approval on the expiry of 45 days following this publication.

The draft By-law provides for the reduction of the annual increase of the maximum rent, for a maximum period of one year, for certain lessees whose annual income is less than \$90,000.

The draft By-law has no impact on small and medium-sized businesses.

Further information may be obtained by contacting André Ménard, Secretary, Société d'habitation du Québec, 1054, rue Louis-Alexandre-Taschereau, aile Saint-Amable, 3<sup>e</sup> étage, Québec (Québec) G1R 5E7; telephone: 418 643-4035, extension 1334; fax: 418 646-5560.

Any person wishing to comment on the draft By-law is requested to submit written comments within the 45-day period to the Secretary of the Société d'habitation du Québec at the above-mentioned address.

MARTIN COITEUX,  
*Minister of Municipal Affairs  
and Land Occupancy*

## By-law to amend the By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik

An Act respecting the Société d'habitation du Québec (chapter S-8, s. 86, 1st par., subpar. g, and 2nd par.)

**1.** The By-law respecting the conditions for the leasing of dwellings in low-rental housing in Nunavik (chapter S-8, r. 4) is amended in section 7 by replacing the third, fourth, fifth, sixth and seventh paragraphs by the following:

“The increase of the maximum rent provided for in this section for 1 July 2016 is set at 1.03% for leases renewed between 1 July 2015 and 30 June 2016, if the income of the lessee, calculated in accordance with subparagraph 1 of the first paragraph of section 5, is less than \$90,000 and if the lessee has filed, before (*insert the date of the 30th day following the date of coming into force of this By-law*), a copy of his or her notice of assessment.

The maximum rent for the month following the month during which the lessee files a copy of his or her notice of assessment is obtained using the following formula:

$$A - C \times (B - A)$$

where

(1) “A” is the maximum rent of the lessee on 1 July 2015, increased by 1.03%;

(2) “B” is the maximum rent established pursuant to the first and second paragraphs of this section on 1 July 2015 increased in accordance with those paragraphs;

(3) “C” is the number of months of rent already paid by the lessee since the renewal of the lease.

If the lessee files his or her notice of assessment after the prescribed period, the maximum rent of the month in which the lessee files the notice of assessment is the maximum rent of the lessee on 1 July 2015, increased by 1.03%. The lessor must make deductions on the rent of the following month.

For the subsequent months in the case of a lease renewed between 1 July 2015 and 30 June 2016, the maximum rent is the maximum rent of the lessee on 1 July 2015, increased by 1.03%.

The third, fourth, fifth and sixth paragraphs of this section do not apply to leases renewed from 1 July 2016. At the renewal of the leases of the lessees who will have benefited from the reduction of the increase of their rent on 1 July 2016, the maximum rent of those lessees will be increased by 8% in accordance with the first and second paragraphs of this section.”.

**2.** This By-law comes into force on *(insert the date of publication of this By-law in the Gazette officielle du Québec)*.

102723

## Draft Regulation

An Act respecting transparency measures in the mining, oil and gas industries  
(chapter M-11.5)

### Application of the Act

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation respecting the application of the Act respecting transparency measures in the mining, oil and gas industries, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation determines the form of the statement provided to the Autorité des marchés financiers, the procedure for sending the statement, the manner in which currencies are converted to determine the value of the payments and the fees payable when sending the statement. It also determines the list of authorities whose requirements are recognized as an acceptable substitute for the requirements of the Act.

The procedure for sending the statement provided for in the draft Regulation will have no impact on enterprises listed on a stock exchange in Canada, including small and medium-sized businesses listed on TSXV. It will have very little impact on large enterprises subject to the Act that are not listed on a stock exchange in Canada.

Further information on the draft Regulation may be obtained by contacting Lucie Ste-Croix, director general of the management of the mining industry, Ministère de l'Énergie et des Ressources naturelles, 5700, 4<sup>e</sup> Avenue Ouest, bureau C-320, Québec (Québec) G1H 6R1; telephone: 418 627-6292, extension 5389, or toll-free: 1 800 363-7233, extension 5389; fax: 418 643-9297; email: lucie.ste-croix@mern.gouv.qc.ca

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Line Drouin, Associate Deputy Minister for Mines, Ministère de l'Énergie et des Ressources naturelles, 5700, 4<sup>e</sup> Avenue Ouest, bureau D-327, Québec (Québec) G1H 6R1.

PIERRE ARCAND,  
*Minister of Energy and Natural  
Resources and Minister  
responsible for the Plan Nord*

LUC BLANCHETTE,  
*Minister for Mines*

CARLOS LEITÃO,  
*Minister of Finance*

## Regulation respecting the application of the Act respecting transparency measures in the mining, oil and gas industries

An Act respecting transparency measures in the mining, oil and gas industries  
(chapter M-11.5, ss. 6, 9 and 18)

### DIVISION I

#### FORM AND SENDING OF THE STATEMENT

**1.** The statement required under section 6 of the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5) must comply with the form provided for in Schedule 1 to this Regulation.

**2.** Entities must use the Canadian currency or the currency with which they carry on their activities to complete the statement. The currency must be used for all of the statement.

The payments indicated in the statement must be broken down by payee and, where a payment made may be attributed to a project, by project.

The payments must also be rounded to the closest ten thousand regardless of the currency used.



**3.** The statement, including the certificate accompanying it, and any other document that, according to the entity, is required for the purposes of the statement, are provided to the Autorité des marchés financiers in electronic format using the System for Electronic Document Analysis and Retrieval (SEDAR) provided for in Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) (chapter V-1.1, r. 2).

Sections 2.4 to 2.8, 4.1, paragraphs (1) and (2) of section 4.3, sections 4.5, 4.9 and 5.1 of Regulation 13-101 respecting the System for Electronic Document Analysis and Retrieval (SEDAR) (chapter V-1.1, r. 2) apply, with the necessary modifications.

## **DIVISION II**

### **RATE OF EXCHANGE**

**4.** Entities that made payments in a currency other than the Canadian currency must, to determine if the total value of the payments is at least \$100,000, use one of the methods provided for in section 5 of this Regulation.

**5.** Entities that made payments in a currency other than the Canadian currency must, if they wish to convert the value of the payments in Canadian currency in their statement, use one of the following methods:

(1) the rate of exchange on the date on which the payment is made;

(2) the average rate of exchange for the period, not exceeding 12 months;

(3) the rate of exchange in force at the end of the entity's fiscal year;

(4) the method provided for in the entity's financial statements.

Entities must include a note in their statement indicating the method and rate of exchange used to convert the currency.

## **DIVISION III**

### **SUBSTITUTION**

**6.** A statement filed in accordance with the requirements of a competent authority mentioned in Schedule 2 to this Regulation may be substituted for the statement required under the first paragraph of section 6 of the Act.

The substitution may be made on the condition that the statement is provided in accordance with section 3 of this Regulation and, where applicable, that the entity has informed the Autorité des marchés financiers, not later than the 150th day following the end of the entity's fiscal year, that the entity intends to file the statement within the period prescribed according to the requirements of the other competent authority, where they allow the filing of the statement beyond the 150th day.

## **DIVISION IV**

### **FINAL**

**7.** This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

## **SCHEDULE 1**

### **STATEMENT UNDER THE ACT RESPECTING TRANSPARENCY MEASURES IN THE MINING, OIL AND GAS INDUSTRIES**

(s. 1)

Fiscal year covered by the statement: from \_\_\_\_\_  
to \_\_\_\_\_

Name of the entity filing the statement: \_\_\_\_\_  
\_\_\_\_\_

Name of the subsidiary or subsidiaries for which the entity  
files the statement, where applicable: \_\_\_\_\_  
\_\_\_\_\_

### **Certificate**

I certify that I have examined the information contained in the statement of [*name of the entity and name(s) of any subsidiary or subsidiaries*]. To my knowledge, the information contained in the statement is true, accurate and complete.

Full name of the officer or director:

Title of position:

Date:

\_\_\_\_\_  
[Signature]





**SCHEDULE 2 LIST OF COMPETENT AUTHORITIES WHOSE REQUIREMENTS ARE DESIGNATED AS AN ACCEPTABLE SUBSTITUTE**  
(s. 6)

The requirements of the following competent authorities are designated as an acceptable substitute within the meaning of section 9 of the Act respecting transparency measures in the mining, oil and gas industries (chapter M-11.5):

- |                |                   |
|----------------|-------------------|
| - Germany;     | - Portugal;       |
| - Austria;     | - Czech Republic; |
| - Belgium;     | - Romania;        |
| - Canada;      | - United Kingdom; |
| - Croatia;     | - Slovakia;       |
| - Denmark;     | - Slovenia;       |
| - Spain;       | - Sweden.         |
| - Estonia;     |                   |
| - Finland;     |                   |
| - France;      |                   |
| - Hungary;     |                   |
| - Italy;       |                   |
| - Latvia;      |                   |
| - Lithuania;   |                   |
| - Luxembourg;  |                   |
| - Malta;       |                   |
| - Norway;      |                   |
| - Netherlands; |                   |
| - Poland;      |                   |



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Abbreviations: **A**: Abrogated, **N**: New, **M**: Modified

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